

Division 3. Air Resources Board

Chapter 5. Standards for Motor Vehicle Fuels

Subchapter 8. Clean Fuels Program

§ 2300. Definitions.

(a) The following definitions apply to Chapter 8.

(1) "Affiliate" means any person who owns or controls, is owned or controlled by, or is under common ownership and control with, another person.

(2) "CEC" means the Energy Resources, Conservation and Development Commission.

(3) "Clean alternative fuel" means any fuel used as the certification fuel in a low-emission vehicle, other than the primary gasoline or diesel fuel used in exhaust emission certification testing pursuant to the ARB's "California Exhaust Emission Standards and Test Procedures for 1988 Through 2000 Model Passenger Cars, Light-Duty Trucks and Medium-Duty Vehicles" as incorporated by reference in Title 13, California Code of Regulations, section 1960.1, or "California Exhaust Emission Standards and Test Procedures for 2001 and Subsequent Model Passenger Cars, Light-Duty Trucks and Medium-Duty Vehicles" as incorporated by reference in Title 13, California Code of Regulations, section 1961.

(4) "CNG" means compressed natural gas.

(4.3) "Compliance year" means the 12 month period running from May 1 through April 30.

(4.7) "Dedicated vehicle" means a low-emission vehicle designed and engineered to be operated solely on a clean alternative fuel, and not on gasoline or any mixture of gasoline and the clean alternative fuel.

(5) "Designated clean fuel" means any clean alternative fuel other than electricity.

(6) "Distribute" means to physically transfer from a production or importation facility and irrevocably release into commerce for use as a motor vehicle fuel in California.

(7) "Distributor" has the same meaning as defined in section 20999 of the Business and Professions Code.

(8) "Dual-fuel vehicle" means any motor vehicle that is engineered and designed to be capable of operating on gasoline, and on liquified petroleum gas, CNG or liquified natural gas.

(9) "Executive officer" means the executive officer of the Air Resources Board, or his or her designee.

(10) "Fleet operator" means, for any given calendar year, the operator in that year of fifteen or more low-emission vehicles that are certified on a particular designated clean fuel and that are under common ownership or operation in California. §2300. Definitions.

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operation in California. (10.5) "Fleet vehicle" means one of fifteen or more low-emission vehicles that are certified on a particular designated clean fuel and that are under common ownership or operation in California.

(11) "Flexible-fuel vehicle" means any alcohol-fueled motor vehicle that is engineered and designed to be operated using any gasoline-alcohol mixture or blend.

(12) "Franchise," "franchisor," and "franchisee" have the same meaning as defined in section 20999 of the Business and Professions Code.

(13) "Gasoline supplier" means any person, including affiliates of such person, who produces gasoline for use in California or imports gasoline into California.

(14) "Import" means to bring motor vehicle fuel into California for the first time for use in motor vehicles in California.

(15) "Liquid designated clean fuel" means any designated clean fuel that is dispensed into motor vehicles in liquid form.

(16) "Low-emission vehicle" means any vehicle certified to the transitional low-emission vehicle, low-emission vehicle, ultra-low-emission vehicle, super ultra-low emission vehicle, or zero-emission vehicle standards established in Title 13, California Code of Regulations, sections 1960.1 or 1961.

(17) "Major breakdown" means an unforeseeable mechanical or electrical failure off CNG dispensing equipment which cannot in the exercise of reasonable diligence be repaired in 72 hours or less.

(19) "Minor breakdown" means an unforeseeable mechanical or electrical failure of CNG dispensing equipment which can in the exercise of reasonable diligence be repaired in 72 hours or less.

(20) "Non-retail facility" means any establishment at which a designated clean fuel is supplied or offered for supply to motor vehicles, but is not supplied or offered to the general public.

(21) "Owner/lessor" means:

(A) In the case of a retail gasoline outlet which is owned, leased or controlled by a franchisor, and which the franchisee is authorized or permitted, under the franchise, to employ in connection with the sale of gasoline, the franchisor.

(B) In the case of a retail gasoline outlet which is owned, leased or controlled by a refiner or a distributor, and is operated by the refiner or distributor or his agent, the refiner or distributor.

(C) In the case of all other retail gasoline outlets, the owner of the retail gasoline outlet.

(22) "Primary designated clean fuel" means a designated clean fuel for which a substitute fuel has been proposed or designated pursuant to section 2317. (23) "Produce" means, in the case of any liquid motor vehicle fuel, to convert in California liquid compounds which do not constitute the fuel into the fuel.

(24) "Quarter" means the three month calendar quarters January-March, April-June, July-September, and October-December.

(25) "Refiner" has the same meaning as defined in section 20999 of the Business and Professions Code.

(26) "Refinery" means a facility that produces gasoline by means that include distilling petroleum.

(27) "Selected retail clean fuel outlet" means a specific retail clean fuel outlet which is equipped to store and dispense a designated clean fuel in order to comply with section 2302.

(28) "Retail clean fuel outlet" means an establishment which is equipped to dispense a designated clean fuel to motor vehicles and at which the designated clean fuel is sold or offered for sale to the general public for use in motor vehicles without the use of a key or card key and without the need to establish an account.

(29) "Retail gasoline outlet" means any establishment at which gasoline is sold or offered for sale to the general public for use in motor vehicles.

(31) "Vehicle conversion" means a modification of a gasoline or diesel fueled vehicle, not certified to a low-emission vehicle standard, to a vehicle which uses a designated clean fuel and which is capable of meeting low-emission vehicle exhaust emissions standards as demonstrated either by installation of an ARB-approved conversion system that achieves such low-emission standards or by individual vehicle testing.

NOTE: Authority cited: Sections 39600, 39601, 39667, 43013, 43018 and 43101, Health and Safety Code; and *Western Oil and Gas Ass'n. v. Orange County Air Pollution Control District*, 14 Cal. 3d 411, 121 Cal. Rptr. 249 (1975). Reference: Sections 39000, 39001, 39002, 39003, 39500, 39515, 39516, 39667, 43000, 43013, 43018 and 43101, Health and Safety Code; and *Western Oil and Gas Ass'n. v. Orange County Air Pollution Control District*, 14 Cal. 3d 411, 121 Cal. Rptr. 249 (1975).

REFERENCE